

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

SHERILYN JONES,

Plaintiff,

Case Number 09-10235-BC
Honorable Thomas L. Ludington

v.

CHRISTINE JENSEN,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION, GRANTING
DEFENDANT'S MOTION TO DISMISS, AND DISMISSING COMPLAINT FOR LACK
OF JURISDICTION**

This matter is before the Court on a report and recommendation issued by Magistrate Judge Charles E. Binder on March 27, 2009. The magistrate judge recommends granting Defendant's motion to dismiss because the Court lacks jurisdiction over Plaintiff's claims, which are moot. As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [Dkt # 8] is **ADOPTED**.

It is further **ORDERED** that Defendant's motion to dismiss [Dkt. # 6] is **GRANTED**.

It is further **ORDERED** that Plaintiff's complaint is **DISMISSED FOR LACK OF JURISDICTION.**

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: April 21, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on April 21, 2009.

s/Tracy A. Jacobs
TRACY A. JACOBS